Case 4:08-cv-02913-SBA From: JANNEY & JANNEY COURT St... ICES Document 18 213 413 8024

Filed 08/25/2008 Page 1 of 10 06/12/2 3 08:12 400 P. 002/005

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Wed Jun 11 16:35:10 2008

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		E-f	
	1. Civil Summers		
		FATES DISTRICT COURT for the n District of California	EMC 2913
	G on behalf of herself as an heir Plaintiff y, ohnson & Johnson; Defendent	CV 08	2913
To: JOHNSON	•	mmoss in a Civil Action -MCNEIL PHARMACEUTICAL, INC	
A lawsuit has been Within on the plaintiff and answer or motion	(Pepeuson's name) PHAE I filed against you. days after service of this sun mswer to the attached complaint	RMACEUTICAL RESEARCH & DEVI mmons on you (not counting the day you rece tor a motion under Rule 12 of the Federal Rule a attorney, whose name and address are:	SLOPMENT, LLC
muse the Your surve	judgment by default will be enver or motion with the court.	tered against you for the relief demanded in	Months And Agent

(the 60 days if the defendant is the United States or a United States agancy, or is an officer or employer of the United States altered 60 days by Rule 12(a)(3).)

Page 2 of 10

SUMMONS - KIM CHANNING v. JOHNSON & JOHNSON, et al.

Page 2 of 2 (Continued from 1 of 2)

ADDITIONAL PLAINTIFFS:

...law of ELGA IDA HINDIN and as Executor of the Estate and/or Successor in Interest of ELGA IDA HINDIN; JENNIFER LYNN RICHARDS; JEFFREY PAUL HINDIN and GERALDINE G. HINDIN

ADDITIONAL DEFENDANTS:

ORTHO-MCNEIL PHARMACEUTICAL, INC.; JOHNSON & JOHNSON PHARMACEUTICAL RESEARCH & DEVELOPMENT, LLC

BRETT L. ROSENTHAL, ESQ SBN: 231154 MCNULTY LAW FIRM 827 MORAGA DRIVE LOS ANGELES, CA 90049 (310) 471-2707

		DISTRICT COURT CT OF CALIFORNIA		
	KIM CHANNING Plaintiff(s)	CASE NUMBER: CV082913 SA		
	v. JOHNSON & JOHNSON, ET AL. Defendant(s)	PROOF OF SERVICE SUMMONS AND COMPLAINT (Use separate proof of service for each person/party served)		
1.	At the time of service I was at least 18 years of age and not a par	ty to this action and I served copies of the (specify documents):		
	a. X summons X complaint alias summ	nons		
2	other (specify): Notice of Assignment to U.S. Magistrate Judge for Trial w/ Consent and Declination; Plaintiffs' filed Declination to Proceed before a Magistrate Judge; Order Setting Initial Case Management Conference and ADR Deadlines; Court Local Guidelines; Standing Order for Civil Practice for Magistrate Edward Chen; Standing Order for All Judges; Consenting to a Magistrate Judge booklet; ECF Registration Information & Handout 2. Person served:			
 a. X Defendant (name:) ORTHO-MCNEIL PHARMACEUTICAL, INC. b. X Other (specify name and title or relationship to the party/business named): MARGARET WILSON - REGISTERED AGENT FOR SERVICE OF PROCESS c. X Address where the papers were served: 818 W. 7TH STREET 				
	LOS ANGELES,	CA 90017		
3.	Manner of Service in compliance with (the appropriate box must	: be checked):		
	a. X Federal Rules of Civil Procedure			
4.	b. California Code of Civil Procedure I served the person named in Item 2:			
	a. X By Personal Service. By personally delivering copies. If the person is a minor, by leaving copies with a parent, guardian, conservator or similar fiduciary and to the minor if at least twelve (12) years of age.			
	1. X Papers were served on (date): 07/23/2008 at (time): 0	2:40 pm		
	b. By Substituted Service. By leaving copies:			
	1. (home) at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household, at least 18 years of age, who was informed of the general nature of the papers.			
	2. (business) or a person apparently in charge of the office, or place of business, at least 18 years of age, who was informed of the general nature of the papers.			
	3. Papers were served on (date): at (time):			
	4. D by mailing (by first-class mail, postage prepaid) copies to the person served in Item 2(b) at the place where the copies were left in Item 2(c).			
	5. D papers were mailed on (date):			
	6. due diligence. I made at least three (3) attempts to pers	sonally serve the defendant.		

с. 🗆	Mail and acknowledgment of service. By mailing (by first-cl. with two (2) copies of the form of Waiver of Service of Summo addressed to the sender. (Attach completed Waiver of Service)	
d. 🗀	(C.C.P. 416.10) By delivering, during usual business hours, a general agent, or to any other agent authorized by appointment	ntion (including partnership), or public entity. (F.R.Civ.P. 4(h) a copy of the summons and complaint to an officer, a managing on nt or by law to receive service of process and, if the agent is one ling, by first-class mail, postage prepaid, a copy to the defendant.
е. 🗆	served with the person who apparently was in charge and the	a copy of the summons and complaint in the office of the person reafter by mailing (by first-class mail, postage prepaid) copies of upliance with C.C.P. 415.20 Substitute service upon the California
f. 🗌	Service on a foreign corporation. In any manner prescribed	d for individuals by FRCP 4(f)
g. 🗀	Certified or registered mail service. By mailing to an addre requiring a return receipt) copies to the person served. (Attactive person served).	ss outside California (by first-class mail, postage prepaid, ch signed return receipt or other evidence of actual receipt by
h. 🗌	Other (specify code section and type of service):	
5. Servi	ce upon the United States, and Its Agencies, Corporations o	or Officers.
а. 🗌		rical employee designated by the U.S. Attorney authorized to e U.S. Attorney for acceptance of service, or by sending a copy of dressed to the civil procecss clerk at the U.S. Attorneys Office.
	Name of person served:	
	Title of person served:	
	Date and time of service: (date): at (time):	
b. 🗌	By sending a copy of the summons and complaint by registered Washington, D.C. (Attach signed return receipt or other evidence)	ed or certified mail to the Attorney General of the United States a idence of actual receipt by the person served).
с. 🗆	By sending a copy of the summons and complaint by registere signed return receipt or other evidence of actual receipt b	ed or certified mail to the officer, agency or corporation (Attach y the person served).
6. At the	e time of service I was at least 18 years of age and not a party t	o this action.
7. Perso	on serving (name, address and telephone number):	a. Fee for service: \$ 53.00
	De'Andre Johnson	b. Not a registered California process server
	Janney & Janney Attorney Service, Inc.	c. Exempt from registration under B&P 22350(b)
7	1545 Wilshire Blvd., Ste. 311 Los Angeles, CA 90017	d. X Registered California process server
	(213) 628-6338	Registration # :140
8. 🗌 l a	am a California sheriff, marshal, or constable and I certify that th	ne foregoing is true and correct.
I declare	under penalty of perjury that the foregoing is true and correct.	
Date: Ju	Ily 24, 2008 <u>De'Andre Johnson</u> Type or Print Server's Name	Q'e'Andre Goldson
	., pe 5	

PROOF OF SERVICE - SUMMONS AND COMPLAINT

The same of the same BRETT L. ROSENTHAL, ESQ SBN: 230154 **MCNULTY LAW FIRM 827 MORAGA DRIVE** LOS ANGELES, CA 90049 (310) 471-2707 **UNITED STATES DISTRICT COURT** NORTHERN DISTRICT OF CALIFORNIA CASE NÚMBER: CV082913 KIM CHANNING Plaintiff(s) PROOF OF SERVICE SUMMONS AND COMPLAINT JOHNSON & JOHNSON, ET AL. (Use separate proof of service for each person/party served) Defendant(s) 1. At the time of service I was at least 18 years of age and not a party to this action and I served copies of the (specify documents): a. Summons complaint alias summons first ammended complaint second amended complaint third amended complaint X other (specify): See Attached List 2. Person served: a. X Defendant (name:) JOHNSON & JOHNSON PHARMACEUTICAL RESEARCH & DEVELOPMENT, LLC b. X Other (specify name and title or relationship to the party/business named): DARLINE RACKAWAY - AUTHORIZED AGENT FOR SERVICE OF PROCESS c. X Address where the papers were served: 1 JAY PLAZA **NEW BRUNSWICK, NJ** 3. Manner of Service in compliance with (the appropriate box must be checked): a. X Federal Rules of Civil Procedure b. California Code of Civil Procedure 4. I served the person named in Item 2: a. X By Personal Service. By personally delivering copies. If the person is a minor, by leaving copies with a parent, guardian, conservator or similar fiduciary and to the minor if at least twelve (12) years of age. 1. X Papers were served on (date): 08/06/2008 at (time): 11:01 am b. By Substituted Service. By leaving copies: 1. U (home) at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household, at least 18 years of age, who was informed of the general nature of the papers. 2. (business) or a person apparently in charge of the office, or place of business, at least 18 years of age, who was informed of the general nature of the papers. 3. Papers were served on (date): at (time): 4. U by mailing (by first-class mail, postage prepaid) copies to the person served in Item 2(b) at the place where the copies were left in Item 2(c). 5. papers were mailed on (date): 6. due diligence. I made at least three (3) attempts to personally serve the defendant.

c. [with two (2) copies of	f the form of Waiver	of Service of Summons	mail or airmail, postage prepaid) copies to the person served and Complaint and a return envelope, postage prepaid of summons and Complaint).
d. [(C.C.P. 416.10) By of general agent, or to a	felivering, during usu any other agent autho	al business hours, a co prized by appointment o	n (including partnership), or public entity. (F.R.Civ.P. 4(h py of the summons and complaint to an officer, a managing or by law to receive service of process and, if the agent is one, by first-class mail, postage prepaid, a copy to the defendant.
е. 🗆	(C.C.P. 415.20 only) served with the person the persons at the pla	By leaving during us on who apparently wa ace where the copies	ual business hours, a cas in charge and thereat were left in full complia	d association (including partnership), or public entity. opy of the summons and complaint in the office of the person fer by mailing (by first-class mail, postage prepaid) copies of unce with C.C.P. 415.20 Substitute service upon the Californi order to this Proof of Service.)
f. 🗀	Service on a foreign	corporation. In an	y manner prescribed fo	r individuals by FRCP 4(f)
g. 🗀	Certified or register requiring a return rec the person served).	ed mail service. By eipt) copies to the pe	mailing to an address or rson served. (Attach s	outside California <i>(by first-class mail, postage prepaid,</i> igned return receipt or other evidence of actual receipt b
h. 🗆	Other (specify code	section and type of s	ervice):	
5. Serv	ice upon the United St	ates, and Its Agenci	es, Corporations or O	fficers.
a. 🗀	accept service, pursu	ant to the procedure	s for the Office of the U	employee designated by the U.S. Attorney authorized to .S. Attorney for acceptance of service, or by sending a copy cosed to the civil processs clerk at the U.S. Attorneys Office.
	Name of person serve	ed;		·
	Title of person served	f:	•	
	Date and time of serv	ice: (date):	at <i>(time):</i>	
b. 🗀		the summons and co	omplaint by registered o	r certified mail to the Attorney General of the United States ance of actual receipt by the person served).
с. 🗆	By sending a copy of signed return receip	the summons and co	omplaint by registered of actual receipt by the	r certified mail to the officer, agency or corporation (Attach
6. At the	e time of service I was	at least 18 years of a	ge and not a party to th	is action.
7. Perso	on serving (name, addr	ess and telephone n	umber):	a. Fee for service: \$ 325.00
	MARIAN ZWIERZYN		NUCE INC	b. X Not a registered California process server
االم	JANNEY AND JANN 1545 WILSHIRE BLV		(VICE, INC.	c. Exempt from registration under B&P 22350(b)
	LOS ANGELES, CA	•		d. Registered California process server
	(213) 628-6338			Registration # :
8. 🗌 18	am a California sheriff,	marshal, or constable	e and I certify that the fo	pregoing is true and correct
I declare	under penalty of perju	ry that the foregoing	is true and correct.	
Date: Au	ıgust 13, 2008 <u> </u>		/IERZYNSKI	The same of the sa
		iype or Print (Server's Name	V (Signature)

PROOF OF SERVICE - SUMMONS AND COMPLAINT

- 1) Summons;
- 2) Complaint;
- 3) Plaintiffs' filed Declination to Proceed before a Magistrate Judge;
- 4) Ntc of Interested Parties;
- 5) Order Setting Initial Case Mngmt Conf. and ADR Deadlines;
- 6) ECF Registration Info. Handout;
- 7) Court Local Guidelines;
- 8) Ntc of Assignment of Case to a US Magistrate Judge for Trial w/ Consent and Declination FORMS;
- 9) Standing Order fro Civil Practice for Magistrate Edward Chen;
- 10)Standing Order for All Judges; and
- 11) Consenting to a Magistrate Judge booklet.

BRETT'L. ROSENTHAL, ESQ SBN: 231154 MCNULTY LAW FIRM 827 MORAGA DRIVE LOS ANGELES, CA 90049

(310) 471-2707

CV-1 (04/01)

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	DISTRICT COURT CT OF CALIFORNIA		
KIM CHANNING Plaintiff(s)	CV082913 SBA		
V.	PROOF OF SERVICE SUMMONS AND COMPLAINT		
JOHNSON & JOHNSON, ET AL. Defendant(s)	(Use separate proof of service for each person/party served)		
At the time of service I was at least 18 years of age and not a pa	arty to this action and I served copies of the (specify documents):		
a. summons complaint alias summ	mons		
X other (specify): See Attached List Person served:			
a. X Defendant (name:) JOHNSON & JOHNSON b. X Other (specify name and title or relationship to the party/b MICHELE BACORN - AUTHORIZED AGENT c. X Address where the papers were served: ONE JOHNSON NEW BRUNSWI	& JOHNSON PLAZA		
B. Manner of Service in compliance with (the appropriate box mus	•		
a. X Federal Rules of Civil Procedure			
b. California Code of Civil Procedure I. I served the person named in Item 2:			
a. X By Personal Service. By personally delivering copies. If conservator or similar fiduciary and to the minor if at least	the person is a minor, by leaving copies with a parent, guardian, twelve (12) years of age.		
1. X Papers were served on (date): 07/29/2008 at (time): 10:35 am			
b. By Substituted Service. By leaving copies:			
 (home) at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household, at least 18 years of age, who was informed of the general nature of the papers. 			
2. (business) or a person apparently in charge of the office, or place of business, at least 18 years of age, who was informed of the general nature of the papers.			
3. Papers were served on (date): at (time):			
4. by mailing (by first-class mail, postage prepaid) copies to the person served in Item 2(b) at the place where the copies were left in Item 2(c).			
5. papers were mailed on (date):			
6. due diligence. I made at least three (3) attempts to per	rsonally serve the defendant.		
PROOF OF SERVICE - SI	JMMONS AND COMPLAINT		

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PAGE 1

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Miles and the second		DDOOF OF SERVICE SHARRON	C AND COMPLAINT
		or Print Server's Name	(Signatu r e)
Date: Augus	st 4, 2008MA	RIAN ZWIERZYNSKI	han Co.
I declare und	der penalty of perjury that the f	oregoing is true and correct.	<u> </u>
-		constable and I certify that the f	_
JA 154 LO	JANNEY AND JANNEY ATTORNEY SERVICE, INC. 1545 WILSHIRE BLVD., STE. 311 LOS ANGELES, CA 90017 (213) 628-6338		 b. X Not a registered California process server c. Exempt from registration under B&P 22350(b) d. Registered California process server Registration # :
	erving <i>(name, address and tele</i> A RIAN ZWIERZYNSKI	ephone number):	a. Fee for service: \$ 145.00
	•	rears of age and not a party to th	
sig	ned return receipt or other e	evidence of actual receipt by the	ne person served).
Wa	ashington, D.C. (Attach signed	d return receipt or other evide	or certified mail to the Attorney General of the Officed States a name of actual receipt by the person served). Or certified mail to the officer, agency or corporation (Attach
	te and time of service: (date):	·	or certified mail to the Attorney General of the United States a
	le of person served:	at (time):	
	·		
the	summons and complaint by re me of person served:	egistered or certified mail addres	sed to the civil processs clerk at the U.S. Attorneys Office.
a. D by	delivering a copy of the summ	ons and complaint to the clerical rocedures for the U	l employee designated by the U.S. Attorney authorized to .S. Attorney for acceptance of service, or by sending a copy o
5. Service u	pon the United States , and Its	s Agencies, Corporations or O	officers.
_	her (specify code section and	type of service):	
g. \square Cer	rtified or registered mail ser	vice. By mailing to an address o	outside California (by first-class mail, postage prepaid, signed return receipt or other evidence of actual receipt by
		n. In any manner prescribed for	
(C. ser the	C.P. 415.20 only) By leaving oved with the person who appare persons at the place where the	during usual business hours, a c rently was in charge and thereat the copies were left in full complia	d association (including partnership), or public entity. The opy of the summons and complaint in the office of the person the fitter by mailing (by first-class mail, postage prepaid) copies of the with C.C.P. 415.20 Substitute service upon the California order to this Proof of Service.)
(C. ger	C.P. 416.10) By delivering, duneral agent, or to any other age	uring usual business hours, a co ent authorized by appointment o	n (including partnership), or public entity. (F.R.Civ.P. 4(h) py of the summons and complaint to an officer, a managing or r by law to receive service of process and, if the agent is one by first-class mail, postage prepaid, a copy to the defendant.
witi	h two (2) copies of the form of	Waiver of Service of Summons	mail or airmail, postage prepaid) copies to the person served and Complaint and a return envelope, postage prepaid of summons and Complaint).

LA807241351

PAGE 2

- 1) Summons;
- 2) Complaint;
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- 4) Ntc of Interested Parties;
- 5) Order Setting Initial Case Mngmt Conf. and ADR Deadlines;
- 6) ECF Registration Info. Handout;
- 7) Court Local Guidelines;
- 8) Ntc of Assignment of Case to a US Magistrate Judge for Trial w/ Consent and Declination FORMS;
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